

[Docket Entry Nos. 45 and 55]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

Holtec International
Corporation, a Delaware
Corporation,

Plaintiff,

v.

Preferred Metal Technologies,
Inc., an Illinois Corporation,

Defendant/Third Party
Plaintiff

v.

UPS Ground Freight, Inc.,
d/b/a UPS Freight, f/k/a
Overnite Transportation,

Third-Party Defendant.

Civil No. 09-274
(RMB/AMD)

ORDER

This matter having come before the Court upon the summary judgment motion and motion to strike the Affidavit of Timothy Stewart filed by Third-Party Defendant UPS Ground Freight Inc., d/b/a UPS Freight, f/k/a Overnite Transportation ("UPS"); and the Court having considered the moving papers, and the opposition thereto; and for the reasons expressed in the Opinion issued this date;

IT IS ON THIS 13th day of April 2011, HEREBY **ORDERED** as follows:

UPS's motion for summary judgment [Dkt. No. 45] is **GRANTED, in part, and DENIED, in part;**

IT IS FURTHER ORDERED that UPS's motion to strike [Dkt. No. 55] is denied.

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge